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U.S. Wars, 1812.

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MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

TRANSMITTING

COPIES OF THE CORRESPONDENCE

BETWEEN

THE GOVERNOR OF GEORGIA, AND MAJ. GEN. JACKSON,

ON THE SUBJECT OF THE ARREST OF

CAPTAIN OBED WRIGHT.

DECEMBER 14, 1818.
Read, and referred to the committee on Military Affairs.

WASHINGTON:

PRINTED BY E. DE KRAFFT.

1818.

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To the House of Representatives of the United States:

In compliance with the resolution of the House of the 10th instant, I transmit a report of the Secretary of War, with copies of the correspondence between the governor of Georgia, and major general Jackson, on the subject of the arrest of captain Obed Wright.

JAMES MONROE.

December 12, 1818.

War Department, December 12, 1818.

In compliance with the resolution of the House of Representatives, of the 10th instant, the Secretary of War has the honor to transmit to the President of the United States, copies of the correspondence between the governor of the state of Georgia, and major general Jackson, relative to the arrest of captain Obed Wright, transmitted by them to this Department.

J. C. CALHOUN.

(Copy.)

Executive Department, Georgia,

Milledgeville, 1st June, 1818.

SIR,

You will no doubt have been informed by general Jackson, ere this reaches you, of an unfortunate attack, recently made, by a detachment of Georgia militia, under the command of captain Obed Wright, on a village in the Creek Nation of Indians, situated on the west side of Flint River, generally known by the name of Chehaw.

In order to bring the circumstances of this transaction fully before you, I must beg leave to refer you to a copy of a letter written by myself to general Jackson, (herewith enclosed) by which you will perceive, that, soon after the army entered the Nation, and passed Fort Early, the Indians in that neighborhood, especially from two towns, situated on the east side of Flint River, generally denominated, Hopaunees, and Philemmees, from chiefs of that name, had recommenced their depredations on our frontier. After having waited a considerable time, in expectation of receiving an answer from the general, but in vain; and being repeatedly and earnestly requested by the distressed inhabitants of that frontier, to afford them protection against the inroads of the savages; and being fully satisfied by letters from respectable citizens from that quarter, that the murders and depredations committed, were by Indians from the above named towns, I took upon myself the responsibility of ordering a detachment into service for the special purpose of destroying them, having been convinced by experience, that small detachments, stationed on the frontiers, was not sufficient to ensure protection to the inhabitants, as the Indians, acquainted with their situation, watched favorable opportunities for coming in on some unguarded point, committing murders, and returning with impunity. On the 24th of November last, I received a requisition from the War Department, requesting me to cause to be detailed from major general Floyd's division, five hundred men, for the special purpose of assisting in the reduction of Amelia Island. Orders for this purpose were immediately given to major general Floyd, who, viewing it, as I did, a case of emergency, drew the whole of the requisition from the first brigade of his division, under the impression that their services would be required, on that occasion only. Before the organization of the troops could be completed, Amelia Island fell into the hands of the regular force sent against it. General Floyd, notwithstanding, completed the organization, and, without consulting me at all, they were ordered to the frontier at different points Some were ordered to Hartford to join the two regiments, which were then organizing to go against the Indians, agreeably to a request of general Gaines. Among these was

captain Wright's company from Savannah. At the time they marched, however, the captain from ill health was unable to accompany them, but shortly after followed on to Hartford and assumed the command of a small detachment left there, although it since appears, he had never been mustered into the service of the United States. Captain Wright having tendered his services to lead the expedition, and from the circumstances above mentioned, believing I had the right to command him, they were accepted. I accordingly ordered two companies of cavalry from two adjacent counties, and two companies of infantry, which I had previously ordered to different posts on the frontier, to rendezvous at Hartford, and report themselves to captain Wright, and also directed captain W. to call on captain Bothwell, then in the service of the United States, stationed at Fort Early for assistance, should it be necessary. The only reason I have to offer for calling on the troops in the service of the United States, is, the danger to which the frontier was exposed, and the necessity for putting a stop to the incursions of the savages, which could only be done by the destruction of their towns, in order that the inhabitants might return to their homes, and prepare their farms for cultivation, the season for doing so having then commenced. The party on their march learning that Hopaunee had left his own village, and had taken up his residence at the Chehaw town, took on themselves the responsibility of pursuing him there; and, having reached the town, commenced an attack on it; the result of which was, that several of the friendly Indians were killed. As the detachment was ordered into service by the state's authority, and as they had violated their orders by destroying a friendly town, I had ordered an investigation of the conduct of the commanding officer before a military tribunal; but I have since determined to stay all further proceedings, until the pleasure of the President of the United States, should be known on the subject. Captain Wright was arrested by order of general Jackson, but was released by the civil authority. I have since had him arrested, and shall keep him confined to await the President's decision. I have the honor to transmit a copy of general Jackson's letter to me, demanding forthwith the delivery of captain Wright to the officers sent by him to arrest and confine him. It is a production as inflammatory and indecorous, as it is unbecoming a gentleman and a soldier. Enclosed you will also receive a copy of my letter to the general in reply.

Should it meet the approbation of the President, I would prefer that the case of captain Wright be referred to the circuit court of the United States, which will be held in Savannah, in December next.

With great respect,
I have the honor to be,
Your most obedient servant,

[Signed] WM. RABUN.

The Honorable J. C. Calhoun,
Secretary of War, Washington.

(Copy.)

Executive Department, Georgia,

Milledgeville, 21st March, 1818.

SIR,

You have no doubt been apprised, that since your departure from Hartford with the Georgia militia, the Indians have been hovering on the frontier of Telfair county, that they have killed a Mr. Bush and wounded his son, and being pursued by the citizens of that county, have met them in hostile array, when an engagement took place, which lasted near an hour, in which our little detachment, consisting of only thirty four men, lost seven killed and a number badly wounded. This rencounter has excited considerable alarm on that frontier, and the inhabitants are in many instances flying from their homes, for the want of protection.

The object of this communication, is to request that you will be so good as to station some troops near the Big Bend of the Ocmulgee, and at or near the most assailable points below that place. If it is not convenient for you to furnish the necessary force, you will please give directions for supplying such detachments, as may in that event, be ordered into the service, under the authority of the state, with rations, &c. I hope you will write me on this subject without delay, as great alarm has been produced by the hostile attitude which the enemy has assumed.

I have the honor to be,

Respectfully, your obedient servant,

(Signed) WM. RABUN.

Major General Andrew Jackson,

U. S. Army, Creek Nation.

(Copy.)

Executive Department, Georgia,

Milledgeville, 1st June, 1818.

SIR,

I have lately had the honor to receive yours of the 7th ultimo, founded on a communication from general Glascock, relative to an attack recently made on the Chehaw village. Had you, sir, or gene-

ral Glascock been in possession of the facts which produced the affair, it is to be presumed, at least, that you would not have indulged in a strain so indecorous and unbecoming. I had, on the 21st of March last, stated the situation of our bleeding frontier to you, and requested you in respectful terms, to detach a part of your overwhelming force, for our protection, or, that you would furnish supplies, and I would order out more troops; to which you have never yet deigned ever to reply. You state, in a very haughty tone, that "I, as governor of a state, within your military division, have no right to give a military order whilst you are in the field." Wretched and contemptible, indeed, must be our situation, if that be the fact. When the liberties of the people of Georgia, shall have been prostrated at the feet of military despotism, then, and not till then, will this imperious doctrine be tamely submitted to. You may rest assured, that, if the savages continue their depredations on our unprotected frontier, I shall think and act for myself, in that respect.

You demand that captain Wright be delivered in irons, to your agent, major Davis. If you, sir, are unacquainted with the fact, I beg leave to inform you, that captain Wright was not under your command, for he had been appointed an officer in the Chatham county militia, which had been drafted for the special purpose of assisting general Gaines in reducing Amelia Island. That object having been accomplished before our militia had taken the field, general Gaines, as soon as their organization was completed, assumed the right to order them to the frontier, without ever consulting the state authority on the subject. Captain Wright at that time being in a state of debility, failed to march, and of course, was not mustered into the service of the United States. He, however, followed on to Hartford, where, finding himself not likely to be received into the service of the United States, tendered his services, to command the contemplated expedition; which were accordingly accepted. Having violated his orders by destroying the Chehaw village, instead of Hopounees and Phelemmies towns, against which the expedition was directed, I had, previous to receiving your demand, ordered him to be arrested, but before he was apprehended agreeably to my orders, he was taken by your agent, and afterwards liberated by the civil authority. I have since had him arrested and confined. and shall communicate the whole transaction to the President of the United States, together with a copy of your letters.

I have the honor to be, &c.

[Signed] WM. RABUN.

Maj. Gen. Andrew Jackson, U. S. Army.

Fort Hawkins, Georgia,

17th May, 1818.

SIR,

I was ordered on the 6th instant, from Fort Gadsden to Georgia. On the 8th instant, I was overtaken by an express from major general A. Jackson, with the enclosed communications. I proceeded without delay to Hartford. Captain Wright was gone before I arrived. I now hasten to Milledgeville, to deliver general Jackson's letter to the governor of Georgia.

Captain Wright, I understand, has gone to Savannah, where I intend to pursue him. If he is taken I will notify you immediately.

I have the honer to be,

Very respectfully,

Your obedient serv't,

(Signed) JNO. M. DAVIS,

Ass'nt. insp'r gen'l.

The hon. J. C. Calhoun,
Secretary of War.

Head Quarters, Division of the South,

May 7th, 1818.

SIR,

You will send, or deliver personally, as you may deem most adviseable, the enclosed talk to Kanard, with instructions to explain the substance to the Chehaw warriors.

You will proceed thence to Hartford, in Georgia, and use your endeavours to arrest, and deliver over, in irons, to the military authority, at Fort Hawkins, captain Wright, of the Georgia militia, who has been guilty of the outrage against the woman and superannuated men of the Chehaw village. Should Wright have left Hartford, you will call upon the governor of Georgia, to aid you in his arrest.

To enable you to execute the above, you are authorized to take, n company with you the Tennesseeans, that went from hence lately,

for fort Scott, and await, if you think it necessary, the arrival of the Georgians, now on march, under major Porter.

You will direct the officer commanding at fort Hawkins, to keep captain Wright in close confinement, until the will of the President be known.

The accompanying letters, for the Secretary of War, and governor of Georgia, you will take charge of, until you reach a post office.

(Signed) ANDREW JACKSON,
Maj. gen'l commanding.

Maj. Davis.

SIR,

Send, with the accompanying letter, to the Secretary of War, a copy of the talk to the Chehaw nation, the order to you and the letter to the governor of Georgia. They are left open for this purpose.

The copies of Glasscock's letters, will accompany that to the Secretary of War, and the letter to the governor of Georgia.

Yours,

(Signed) I. GADSDEN,
A. D. Camp.

Head Quarters, Division of the South.
On line of march, 7 miles from
Fort Gadsden, 12 o'clock,
7th May, 1818.

SIR,

I halt my army, to enclose you a communication, which has this moment been received, by express, from general Glasscock. The outrage which has been committed upon the superanuated warriors, women and children, whose sons were then in the field, in the service of the United States, merits the severest chastisement. The interference too, of the governor of Georgia, with the duties imposed on me, claims the earliest attention of the President.

All the effects of my campaign, may, by this one act, be destroy-

ed; and the same scenes of massacre and murder, with which our frontier settlers have been visited, again repeated.

On my march from Hartford to fort Scott, the necessities of my army were first relieved at the Chehaw village, and every act of friendship characterised the conduct of their old chiefs. The young warriors immediately entered, and were mustered into the service of the United States; and under the command of colonel Kernard, were esteemed one of the most efficient corps of friendly Indians. What must be their feelings on returning to the vicinity of their homes, after the privations, fatigues, and dangers of a long march, in the service of the United States, to find their houses consumed, their families dispersed, and their old warriors and chiefs, butcherously and inhumanly murdered, you must well know how to estimate.

I have written to Hartford, to have captain Wright arrested, and ironed, until the will of the President of the United States is known; and I have requested of the governor of Georgia, to aid in the execution of this order, should Wright have left that place.

I shall send a talk to the Chehaws, explaining as satisfactorily as possible, this most iniquitous proceeding.

Copies of the above are enclosed.

Yours respectfully,

ANDREW JACKSON.

The hon. John C. Calhoun,
Secretary of War.

Fort Early, April 30, 1818.

SIR,

I have the pleasure to inform you, that my command has safely reached this place, having suffered some little for the want of meat. The Gods have proved equally propitious to us, on our return as on our advance at Mickasuky. Some of my men were nearly out of corn, and searching about some old houses that had not been consumed, to see if they could make any discovery, in entering one of them, to their great astonishment and surprize, they came across the man who was lost from captain Watkin's company, on the

2d of April. It appears from his statement, that he was taken with a kind of cramp, and was unable to move and became senseless.— When he recovered, he became completely bewildered, and never could reach the camp; he therefore concluded it was prudent to secrete himself in some swamp, and after wandering about some time came across a parcel of corn, on which he subsisted until we found him: he was very much reduced, and apparently perfectly wild. On that night Gray struck a trail, pursued it about a mile and half, came to a small hut, which fortunately contained 50 or 60 bushels of corn, some potatoes and peas, which enabled us to reach the Flint, opposite Chehaw village; when arriving within thirty miles of the place, I sent on major Robinson, with a detachment of 20 men to procure beef. On his arriving there, the Indians had fled in every direction. The Chehaw town having been consumed about four days before, by a party of men consisting of 230, under a captain Wright, now in command of Hartford.

It appears that after he assumed the command of that place, he obtained the certificates of several men on the frontier, that the Chehaw Indians were engaged in a skirmish on the Big Bend. He immediately sent or went to the governor, and received orders to destroy the towns of Filemme and Oponee. Two companies of cavalry were immediately ordered out and placed under his command, and on the 22d he reached this place. He ordered captain Bothwell, to furnish him with 25 or 30 men to accompany him, having been authorized to do so by the governor. The order was complied with. Captain Bothwell told him, that he could not accompany him, disapproved the plan, and informed captain Wright, that there could be no doubt of the friendship of the Indians in that quarter; and stated, that Oponne had brought in a public horse that had been lost that day. This availed nothing; mock patriotism burned in their breasts; they crossed the river that night, and pushed for the town. When arrived there, an Indian was discovered grazing some cattle, he was made a prisoner. I am informed by sergeant Jones, that the Indian immediately proposed to go with the interpreter, and bring any of the chiefs for the captain to talk with. It was not attended to. An advance was ordered, the cavalry rushed forward and commenced the massacre.— Even after the firing and murder commenced, major Howard, an old chief, who furnished you with corn, came out of his house with a white flag in front of the line. It was not respected An order was given for a general fire, and nearly 400 guns were discharged at him, before one took effect—he fell and was bayonetted—his son was also killed. These are the circumstances relative to the transaction — Seven men were killed, one woman and two children. Since then three of my command, who were left at fort Scott, obtainded a furlough, and on their way one of them was shot, in endeavoring to obtain a canoe to cross the Flint. I have sent on an express to the officer commanding fort Scott, apprising him of the affair, and one to adjutant Porter, to put him on his guard. On arriving opposite

Chehaw, I sent a runner to get some of them in, and succeeded in doing so. They are at a loss to know the cause of the displeasure of the white people. Wolf has gone to the agent to have it inquired into. We obtained from them a sufficient quantity of beef to last us to Hartford, at which place I am informed there is a plentiful supply of provisons.

I have the honor to be very respectfully,

Your friend and obedient servant,

[Signed] THOMAS GLASSCOCK,

Brig. gen. comg. Ga. militia, U. S. S.

Major gen. A. Jackson.

To the chiefs and warriors of the Chehaw village,

On my march to the west of the Apalachichola,

May 7, 1818.

Friends and Brothers,

I have this moment received, by express, the intelligence of the unwarrantable attack of a party of Georgians on the Chehaw village, burning it, and killing six men and one woman.

Friends and Brothers,

The above news fills my heart with regret, and my eyes with tears: when I passed through your village, you treated me with friendship, and furnished my army with all the supplies you could spare; and your old chiefs sent their young warriors with me to fight, and put down our common enemy. I promised you protection; I promised you the protection and fostering friendship of the United States, so long as you continued to hold your father, the President of the United States, by the hand of friendship.

Friends and Brothers,

I did not suppose there was any American so base as not to

respect a flag, but I find I am mistaken. I find that captain Wright of Georgia has not done it. I cannot bring your old men and woman to life, but I have written to your father, the President of the United States, the whole circumstance of your case, and I have ordered capt. Wright to be arrested and put in irons, until your father the President of the United States, make known his will on this distressing subject.

Friends and Brothers,

Return to your village; there you shall be protected, and captain Wright will be tried and punished for this daring outrage of the treaty and murder of your people; and you shall also be paid for your houses and other property that has been destroyed; but you must not attempt to take satisfaction yourselves; this is contrary to the treaty, and you may rely on my friendship, and that of your father, the President of the United States.

I send you by my friend, major Davis, who is accompanied by a few of my people, and who is charged with the arrest and confinement of capt. Wright; treat them friendly, they are your friends, you must not permit your people to kill any of the whites, they will bring down on you destruction. Justice shall be done to you; you must remain in peace and friendship with the Uuited States. The excuse that capt. Wright has made for this attack on your village, is, that some of your people were concerned in some murders on the frontier of Georgia; this will not excuse him. I have ordered captain Wright, and all the officers concerned in this transaction in confinement, if found at Hartford. If you send some of your people with major Davis, you will see them put in irons. Let me hear from you at fort Montgomery. I am your friend and brother.

[Signed] ANDREW JACKSON,

Major General commanding, Division of the South.

On march toward Pensacola, 7 miles advanced of Fort Gadsden, May 7, 1818.

SIR,

I have this moment received, by express, the letter of general Glasscock, a copy of which is enclosed, detailing the base, cowardly, and inhuman attack, on the old women and men of the Chewhaw

village, whilst the warriors of that *village* were with me fighting the battles of our *country*, against the common enemy, and at a time too, when undoubted testimony had been obtained and was in my possession, and also in possession of gen. Glasscock, of their innocence of the charge of killing Leigh and the other Georgian, at Cedar creeek.

That a governor of a state should assume the right to make war against an Indian tribe, in perfect peace with, and under the protection of, the United States, is assuming a responsibility that I trust you will be able to excuse to the government of the United States, to which you will have to answer, and through which I had so recently passed, promising the aged that remained at home, my protection, and taking the warriors with me on the campaign, is as unwarrantable as strange. But it is still more strange, that there could exist within the United States, a cowardly monster in human shape, that could violate the sanctity of a flag, when borne by any person, but more particularly when in the hands of a superanuated Indian chief, worn down with age. Such base cowardice, and murderous conduct as this transaction affords, has not its parallel in history, and should meet with its merited punishment.

You, sir, as governor of a state within my military division, have no right to give a military order whilst I am in the field; and this being an open and violent infringement of the treaty with the Creek Indians, captain Wright must be prosecuted and punished for this outrageous murder; and I have ordered him to be arrested and confined in irons, until the pleasure of the president is known upon the subject. If he has left Hartford before my order reaches, I call upon you as governor of Georgia, to aid in carrying into effect my order for his arrest and confinement, which I trust will be afforded, and capt. Wright brought to condign punishment for this unprecedented murder. It is strange that this hero had not follwed the trail of the murderers of your citizens; it would have led him to the Mickasuky, where we found the *bleeding scalps of your citizens;* but there might have been more danger in this, than attacking a village containing a few superanuated women and men, and a few young women without arms or protectors.

This act will, to the last ages, fix a stain upon the character of Georgia.

I have the honor, &c.

[Signed] ANDREW JACKSON,

Major General commanding.

His excellency William Rabun,
Governor of the state of Georgia.

Fort Hawkins, May 30, 1818.

SIR,

In pursuance of my order from general Jackson, dated May 7, 1818, (which has heretofore been enclosed to you,) I came up with captain Obed Wright, of the Georgia militia, in Dublin, on the 24th inst. I arrested him, and brought him on as far towards fort Hawkins as Milledgeville, where the civil authority interfered, and discharged him.

A copy of the proceedings is herewith enclosed, together with a copy of my letter to the governor of Georgia, and Wright's arrest.

I have notified major general Jackson of the circumstances.

I have the honor to be,

Very respectfully

Your obedient servant,

[Signed] JNO. M. DAVIS,

Ass't. inspector general.

The hon. J. C. Calhoun, Sec'ry at War.

Chambers, May 28, 1818.

Present, their honors

Robert Wynn,
William Bevin, & } Justices.
James Fleming,

The court met for the purpose of hearing Obed Wright, who was brought up before them upon a writ of habeas corpus, which is as follows:

Georgia,
Baldwin county } To any justice of the inferior court.

The petition of Obed Wright, showeth: That he is detained in confinement by major Davis, an officer in the United States' service

and he therefore prays the benefit of a habeus corpus, to inquire into the cause of his confinement and detention.

[Signed] SEABORN JONES,

Att'y for petitioner.

Georgia,
Baldwin county, } To major Davis, an officer in the U. S. service.

It appears, from the petition of Obed Wright, that he is now kept in custody by you, and he having prayed a writ of habeas corpus, you are therefore hereby commanded, that you bring before me, at the court house of the county, by the hour of 11 o'clock of the forenoon of the day, the body of the said Obed Wright, by whatever he may be known with you, together with the cause of his commitment and detention, that he may be dealt with, according to law. Fail not, and have you then and there, this writ.

Given under my hand and seal, the 28th of May, 1818.

[Signed] WILLIAM BEVIN, *J. J. C.* (Seal)

Habeas corpus, by the constitution of the United States, and of the state of Georgia.

Milledgeville, May 28, 1818.

I have the said Obed Wright in court, together with the cause of his commitment and detention.

[Signed] JNO. M. DAVIS,

Ass't inspr. gen. U. S. Army.

Major John M. Davis, assistant inspector general of the United States' army, in obedience to a writ of habeas corpus, this day served on him, having produced the body of said Obed Wright, mentioned in the habeas corpus before the court, together with the cause of his commitment and detention.

And the court on consideration, deeming that no sufficient cause is shown for his detention; on motion, ordered, that he be discharged forthwith.

[Signed] ROBERT WYNN,
WILLIAM BEVIN,
JAMES FLEMING.

Georgia, Baldwin County:

I, Thomas H. Kenan, clerk of the inferior court for said county, do hereby certify, the preceding pages contain a true copy of the proceedings on the trial of Obed Wright, in consequence of his confinement and detention.

Given under my hand and seal, this 28th day of May, 1818.

[Signed] THOMAS H. KENAN,

(Seal) *Clerk Inf. court.*

Milledgeville, May 29, 1818.

SIR,

In pursuance of maj. gen. Jackson's order to me of the 7th inst. a copy of which is herewith enclosed, I arrested capt. Obed Wright, of the Georgia militia, in Dublin, on the 24th inst. and brought him thus far, on my way to fort Hawkins, when a writ of habeas corpus, served on me, by which capt. Wright has been released from confinement.

I do now hereby call on you, to have capt. Wright delivered to

me, that I may be able to keep him in confinement, until the will of the President of the United States be known.

I have the honor to be,

Very respectfully,

Your obedient servant,

[Signed] JNO. M. DAVIS,

Ass't inspr. gen. U. S. army.

His excellency Wm. Rabun, governor of Georgia.

(Copy)

Dublin, Georgia, May 24, 1818.

SIR,

I am directed by major general Jackson, commanding the division of the south, to arrest you and conduct you to fort Hawkins, where you are to remain, until the pleasure of the President of the United States, be known on your case.

You will therefore, consider yourself in arrest, and proceed accordingly.

I am, respectfully yours, &c.

[Signed] JNO. M. DAVIS,

Ass't inspr. gen. U. S. army.

Capt. Obed Wright, Georgia militia.

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